

# HOUSE BILL 1322

C2, J1

0lr1395  
CF SB 542

By: **Delegates Hucker, Benson, Ali, Barkley, Barve, Bobo, Bronrott, Carr, Feldman, Gutierrez, Hecht, Hixson, Hubbard, Kullen, Manno, Montgomery, Morhaim, Reznik, Taylor, Vaughn, and Waldstreicher**

Introduced and read first time: February 18, 2010

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2010

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Business Regulation – Lodging Establishments – National Human Trafficking**  
3 **Resource Center Hotline Information**

4 FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to  
5 design a sign that contains certain information regarding the National Human  
6 Trafficking Resource Center Hotline; requiring the sign to meet certain  
7 requirements and be placed on the ~~Department~~ Department's website; requiring  
8 ~~an innkeeper of~~ a lodging establishment to post a certain sign in certain places  
9 for a certain period of time if certain conditions are met; providing a certain  
10 ~~penalties~~ penalty for the violation of a certain provision of this Act; and  
11 generally relating to lodging establishments and information regarding the  
12 National Human Trafficking Resource Center Hotline.

13 BY adding to  
14 Article – Business Regulation  
15 Section 15–207  
16 Annotated Code of Maryland  
17 (2004 Replacement Volume and 2009 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Business Regulation**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



15-207.

(A) (1) THE DEPARTMENT SHALL DESIGN A SIGN THAT STATES THE FOLLOWING:

~~“IF YOU OR SOMEONE YOU KNOW IS BEING FORCED TO ENGAGE IN ANY ACTIVITY AND CANNOT LEAVE WHETHER IT IS COMMERCIAL SEX, HOUSEWORK, FARM WORK, OR ANY OTHER ACTIVITY CALL THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE AT 1-888-373-7888 TO ACCESS HELP AND SERVICES.~~

~~VICTIMS OF HUMAN TRAFFICKING ARE PROTECTED UNDER U.S. AND MARYLAND LAW. THE HOTLINE IS:~~

- ~~• TOLL FREE, AVAILABLE 24/7~~
- ~~• ANONYMOUS AND CONFIDENTIAL~~
- ~~• OPERATED BY A NONPROFIT, NONGOVERNMENTAL ORGANIZATION~~
- ~~• ACCESSIBLE IN 170 LANGUAGES~~
- ~~• ABLE TO PROVIDE HELP, REFERRAL TO SERVICES, TRAINING, AND GENERAL INFORMATION”.~~

(2) THE SIGN SHALL:

(i) BE AT LEAST 8.5 BY 11 INCHES IN SIZE;

(ii) CONTAIN THE TEXT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN ENGLISH, SPANISH, AND ANY OTHER LANGUAGES REQUIRED BY THE FEDERAL VOTING RIGHTS ACT;

(iii) DRAW ATTENTION TO THE PHONE NUMBER OF THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE BY SHOWING THE PHONE NUMBER IN BOLD TYPE; AND

(iv) BE PLACED ON THE DEPARTMENT WEBSITE.

(B) AN INNKEEPER OF A LODGING ESTABLISHMENT SHALL POST PROMINENTLY IN EACH GUEST ROOM FOR 1 YEAR THE SIGN THAT IS PLACED ON THE WEBSITE OF THE DEPARTMENT UNDER SUBSECTION (A) OF THIS SECTION IF THE LODGING ESTABLISHMENT:

(1) HAS BEEN FOUND TO KEEP A COMMON NUISANCE UNDER § 5-605 OF THE CRIMINAL LAW ARTICLE; OR

~~(2) IS A LOCATION WHERE AN INDIVIDUAL HAS BEEN ARRESTED FOR PROSTITUTION, SOLICITATION OF A MINOR, OR HUMAN TRAFFICKING UNDER TITLE 11, SUBTITLE 13 OF THE CRIMINAL LAW ARTICLE.~~

~~(C) (1) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 10 DAYS, OR BOTH.~~

~~(2) EACH GUEST ROOM THAT DOES NOT HAVE A SIGN IS NOT A SEPARATE VIOLATION.~~

“REPORT HUMAN TRAFFICKING: NATIONAL HUMAN TRAFFICKING RESOURCE CENTER — 1-888-373-7888. CALL FOR HELP IF YOU OR SOMEONE YOU KNOW:

- IS BEING FORCED TO HAVE SEX WITHOUT CONSENT
- HAS HAD AN ID OR DOCUMENTS TAKEN AWAY
- IS BEING THREATENED BY OR IS IN DEBT TO AN EMPLOYER
- WANTS TO LEAVE A JOB BUT CANNOT FREELY DO SO.

TOLL-FREE. 24/7. CONFIDENTIAL. INTERPRETERS AVAILABLE.

THIS SIGN IS REQUIRED UNDER STATE LAW.”

(2) THE SIGN SHALL:

(I) BE AT LEAST 3 BY 5 INCHES IN SIZE;

(II) CONTAIN THE TEXT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN ENGLISH, SPANISH, AND ANY OTHER LANGUAGES REQUIRED BY THE FEDERAL VOTING RIGHTS ACT;

(III) DRAW ATTENTION TO THE PHONE NUMBER OF THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE BY SHOWING THE PHONE NUMBER IN BOLD TYPE; AND

(IV) BE PLACED ON THE DEPARTMENT WEBSITE.

(B) (1) A STATE, COUNTY, OR MUNICIPAL LAW ENFORCEMENT AGENCY MAY ISSUE A CIVIL CITATION TO A LODGING ESTABLISHMENT REQUIRING IT TO POST PROMINENTLY IN EACH GUEST ROOM FOR 1 YEAR THE SIGN THAT IS IDENTICAL TO THE NOTICE REQUIRED TO BE PLACED ON THE WEBSITE OF THE DEPARTMENT UNDER SUBSECTION (A) OF THIS SECTION, IF THE LODGING ESTABLISHMENT IS LOCATED ON PROPERTY WHERE ARRESTS

1 LEADING TO CONVICTIONS OF PROSTITUTION, SOLICITATION OF A MINOR, OR  
2 HUMAN TRAFFICKING UNDER TITLE 11, SUBTITLE 13 OF THE CRIMINAL LAW  
3 ARTICLE HAVE OCCURRED.

4 (2) A STATE, COUNTY, OR MUNICIPAL LAW ENFORCEMENT  
5 AGENCY SHALL CONSIDER ANY ASSISTANCE IT RECEIVES FROM A LODGING  
6 ESTABLISHMENT IN AN INVESTIGATION LEADING TO A CONVICTION UNDER  
7 PARAGRAPH (1) OF THIS SUBSECTION IN DETERMINING WHETHER TO ISSUE A  
8 CITATION UNDER THIS SUBSECTION.

9 (C) (1) THE OWNER OF A LODGING ESTABLISHMENT THAT VIOLATES  
10 SUBSECTION (B)(1) OF THIS SECTION IS SUBJECT TO A CIVIL PENALTY NOT  
11 EXCEEDING \$1,000.

12 (2) EACH GUEST ROOM THAT DOES NOT HAVE A SIGN IS NOT A  
13 SEPARATE VIOLATION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.